

Mail Stop Interference
P.O. Box 1450
Alexandria, VA 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

Paper 1
Entered: 3 January 2012

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

STEPHAN BEAT WARTMANN
Junior Party,
(Patent 7,975,594),

v.

DAVID WILLIAM LEEMING
Senior Party,
(Application 10/584,605).

Patent Interference 105,862 (JL)
Technology Center 3600

DECLARATION – 37 CFR §41.203(d)

1 An interference is declared (35 U.S.C. § 135(a)) between the above-
2 identified parties. Details of the application(s), patent (if any), reissue application
3 (if any), count and claims designated as corresponding or as not corresponding to
4 the count appear in Parts E and F of this DECLARATION.

1 **Part A. Judge managing the interference**

2 Administrative Patent Judge Jameson Lee has been designated to manage the
3 interference. 37 CFR § 41.104(a).

4 **Part B. Standing order**

5 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
6 DECLARATION. The STANDING ORDER applies to this interference.

7 **Part C. Initial conference call**

8 A telephone conference call to discuss the interference is set for **1:30 p.m.**
9 **on February 21, 2012** (the Board will initiate the call).

10 No later than **four business days** prior to the conference call, each party
11 shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (37 CFR § 41.120
12 & 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

13 A time periods for taking action during the motion phase are set in an order
14 accompanying this declaration.

Part D. Identification and order of the parties

Junior Party

Named inventors: Stephan Beat Wartmann, Guttingen, Switzerland

Involved Application: Patent 7,975,594 issued from Application
11/668,124, filed January 29, 2007

Title: Device for Defense from Projectiles, Particularly
Shaped Charge Projectiles

Assignee: Fatzer AG

Senior Party

Named Inventors: David William Leeming, Swindon, United
Kingdom

Involved Patent: Application 10/584,605, filed August 9, 2007

Title: Textile Armour

Assignee: Ares Capital Corporation

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. 37 CFR § 41.154(c)(1); SO ¶ 154.2.1. The senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

1 **Part E. Count and claims of the parties**

2 **Count 1**

3 Claim 1 of Junior Party's Patent 7,975,594

4 The claims of the parties are:

5 Party Wartman: Claims 1-11

6 Party Leeming: Claims 41-51

7 The claims of the parties that correspond to Count 1 are:

8 Party Wartman: Claims 1-11

9 Party Leeming: Claims 41-51

10 The claims of the parties that do not correspond to Count 1, and therefore are
11 not involved in the interference, are:

12 Party Wartman: None

13 Party Leeming: None

14 **Benefit**

15 The parties are accorded the following benefit for Count 1:

16 Party Wartman: European Application 07405007.1,
17 filed January 10, 2007

18 Party Leeming: PCT/GB2007/000329, filed January 17, 2007
19 GB060130.0, filed January 17, 2007

Part F. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see SO ¶ 106.1.1:

Filed on behalf of: *Party @.*

Paper *Leave blank*

By: *Counsel Name(s) @*

Address @

(@@@) @@@- @@@@ (telephone)

(@@@) @@@- @@@@ (facsimile)

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1 **Part G. Order form for requesting file copies**

2 When requesting copies of files, use of SO Form 4 will greatly expedite
3 processing of the request. Please attach a copy of Parts D and E of this
4 DECLARATION with a hand-drawn circle around the patents and applications for
5 which a copy of a file wrapper is requested.

/Jameson Lee/
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Copy U.S. Patent 7,975,594
Copy of claims of Application 10/584,605

cc (via overnight delivery):

Attorney for Wartmann:

Brian Roffe, Esq.
Suite 223
8170 McCormick Blvd.
Skokie, IL 60076-2959

Attorney for Leeming:

Stephen E. Arnett, Esq.
Perkins Coie, LLP
1201 Third Ave.
40th Floor
Seattle, WA 98101